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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
68775-080

First named inventor: Christopher J. Scott DOUGALL

Application No.: 09/548,707

Art Unit: 2157

Filed: April 13, 2000

Examiner: Saleh Najjar

Title: DATA BROADCAST SYSTEM TO AID A BROADCASTER TO TRANSMIT AND RECEIVE...

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
FAX (571) 273-8300

01/30/2006 HDEMESS1 00000058 162500 09548707
01 FC:1453 1500.00 DA

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.

Other than small entity - fee \$ 1,500 (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of An Amendments to the Claims (identify type of reply):

has been filed previously on _____.
 is enclosed herewith.

- B. The issue fee and publication fee (if applicable) of \$ _____.
 has been paid previously on _____.
 is enclosed herewith.

[Page 1 of 2]

This collection of information is required by 37 CFR 1.137(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

January 26, 2006

Date

Abigail F. Cousins

Typed or printed name

29,292

Registration Number, if applicable

Proskauer Rose LLP

Address

212-969-3000

Telephone Number

1585 Broadway, New York, NY 10036

Address

Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: Returned Post Card**CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]**

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

1/26/06

Date



Signature

Elizabeth Tavarez

Typed or printed name of person signing certificate



FEES TRANSMITTAL
FY 2005

Complete if Known

Application Serial Number	09/548,707
Filing Date	April 13, 2000
First Named Inventor	Christopher J. Scott
Group Art Unit	2157
Examiner Name	Saleh Najjar
Attorney Docket No.	68775-080

METHOD OF PAYMENT

FEE CALCULATION (continued)

METHOD OF PAYMENT					4. ADDITIONAL FEES				
<input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other					Large Entity	Small Entity			
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to credit or charge any fee indicated below for this submission to Deposit Account No. 16-2500 <input checked="" type="checkbox"/> Required Fees (copy of this sheet enclosed). <input checked="" type="checkbox"/> Additional fee required under 37 CFR 1.16 and 1.17. <input checked="" type="checkbox"/> Overpayment Credit.					Fee (\$)	Fee (\$)	Fee Description		Fee Paid
<input type="checkbox"/> Applicant claims small entity status.					130	65	Surcharge - late filing fee or oath		
					50	25	Surcharge - late provisional filing fee or cover sheet		
					130	130	Non-English specification		
					2,520	2,520	Request for ex parte re-examination		
					120	60	Extension for reply within 1 st mo.		
					450	225	Extension for reply within 2 nd mo.		
					1,020	510	Extension for reply within 3 rd mo.		
					1,590	795	Extension for reply within 4 th mo.		
					2,160	1,080	Extension for reply within 5 th mo.		
					500	250	Notice of Appeal		
					500	250	Filing a brief in support of an appeal		
					1,000	500	Request for oral hearing		
					400	0	Petitions to the Director		
					180	180	Submission of IDS		
					790	395	Filing a submission after final rejection (37 CFR 1.129(a))		
					790	395	For each additional invention to be examined (37 CFR 1.129(b))		
					100	100	Certificate of Correction for applicant's error		
					110	55	Submission of Terminal Disclaimer		
					Other fee (Specify)	Request for Continued Examination (RCE)			
					Other fee (Specify)	Petition to revive unintentionally abandoned application			1,500.00
					4. TOTAL:				1,500.00
					TOTAL AMOUNT SUBMITTED				(\$) 1,500.00
3. APPLICATION SIZE FEE					SIGNATURE BLOCK				
<p>If the specification and drawing exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).</p>					<p>Respectfully submitted,</p> <p><i>Abigail Cousins</i> Abigail F. Cousins Attorney for the Applicants Proskauer Rose LLP 1585 Broadway New York, NY 10036</p>				
Total Sheets	Extra Sheets	Additional 50 or fraction thereof	Fee (\$)	Fee Paid	Date: January 26, 2006				
-100 =	/50 =	round up to a whole number	x =		Reg. No. 29,292				
3. TOTAL:					Tel. No.: (212)969-3000				
					Fax No.: (212)969-2900				
CORRESPONDENCE ADDRESS									
Direct all correspondence to: Patent Department Proskauer Rose LLP 1585 Broadway New York, NY 10036 Tel. No.: (212)969-3000 Fax No.: (212)969-2900									